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**OFFICE OF PETITIONS**

In re Application of :  
Schneider and Miller :  
Application No. 10/822,076 : DECISION GRANTING PETITION  
Filed: April 9, 2004 :  
Attorney Docket No. 964-020254 :

This is a decision on the petition filed July 7, 2004, under 37 CFR 1.10 requesting that the above-cited application be accorded a filing date of April 9, 2004, rather than the presently accorded filing date of April 8, 2004.

Petitioner alleges that the application was deposited with the Express Mail Service on April 9, 2004. In support of the allegation, the petition is accompanied by a copy of the Express Mail label from the United States Postal Service showing that Express Mail package EV328105123US was deposited with the United States Postal Service, Express Mail Service on April 9, 2004. The tracking number cited is the same number found on the application transmittal sheet that accompanied the original application papers. The evidence is convincing that the application papers were deposited on April 9, 2004.

In view of the above, the petition is granted. The new filing date for the above-cited application is April 9, 2004.

The application file is being returned to the Office of Initial Patent Examination for further processing with a filing date of April 9, 2004, and for issuance of a corrected filing receipt.

Any inquiries related to this decision should be directed to the undersigned at (571)272-3222.

Kenya A. McLaughlin  
Petitions Attorney  
Office of Petitions